



House of Representatives

General Assembly

File No. 258

January Session, 2007

Substitute House Bill No. 7221

House of Representatives, April 2, 2007

The Committee on Planning and Development reported through REP. FELTMAN of the 6th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING INTERSTATE COOPERATION AND JOINT REVIEW OF LAND USE APPLICATIONS FOR PROPERTY IN MORE THAN ONE MUNICIPALITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2007*) Any regional planning
- 2 agency whose area of operation abuts the boundary of another state
- 3 may enter into agreements with a regional planning organization in
- 4 such other state to jointly perform any function that such regional
- 5 planning agency and regional planning organization may perform
- 6 separately under any provision of federal law or any law of this state.
- 7 The bylaws of the regional planning agency shall (1) provide for a
- 8 process of approval of terms of an agreement, (2) establish a process
- 9 for withdrawal from such agreement, and (3) require that the
- 10 agreement be reviewed at least once every five years by the body that
- 11 approved the agreement to assess the effectiveness of such agreement
- 12 in enhancing the performance of the function that is the subject of the
- 13 agreement.

14 Sec. 2. Section 8-7d of the general statutes is amended by adding
15 subsection (h) as follows (*Effective October 1, 2007*):

16 (NEW) (h) Whenever an application, petition, request or plan that
17 includes land in two or more municipalities is filed with the zoning
18 commission, planning commission or combined planning and zoning
19 commission of each such municipality, such commissions may hold a
20 joint public hearing and may jointly review the applications, petitions,
21 requests or plans.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	8-7d

PD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
Various Municipalities	Cost Avoidance	Potential Minimal	Potential Minimal

Explanation

To the extent municipalities choose to hold joint public hearings on zoning applications that include land in two or more towns, the participating municipalities would experience reduced administrative costs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 7221*****AN ACT CONCERNING INTERSTATE COOPERATION AND JOINT REVIEW OF LAND USE APPLICATIONS FOR PROPERTY IN MORE THAN ONE MUNICIPALITY.*****SUMMARY:**

This bill allows two or more towns jointly to hear and review a development proposal that encompasses land in these towns. It specifically authorizes the towns' zoning, planning, or combined planning and zoning commissions to conduct joint hearings and reviews on applications, petitions, requests, and plans the commissions must separately review.

The bill allows regional planning agencies (RPAs) jointly to perform a function with their counterparts in other states. An RPA can do this if its area borders another state and both RPAs are authorized to perform the function under federal or state law. The RPA must execute an agreement with its counterpart and specify in its bylaws the process for approving and withdrawing from the agreement. The bylaws must also require the RPA to review the agreement at least once every five years to assess whether it improved the way the agency performed the function.

EFFECTIVE DATE: October 1, 2007

BACKGROUND***Regional Planning Areas***

As Table 1 shows, seven of the state's 15 planning regions border other states. The former Connecticut Development Commission designated the regions during the 1950s. The law authorizes the Office of Policy and Management to designate and redesignate planning regions (CGS §16a-4a(4)).

Table 1: State-Designated Planning Regions

<i>Region</i>	<i>Adjacent State</i>
South Western	New York
Housatonic Valley	New York
Northwestern Connecticut	New York and Massachusetts
Litchfield Hills	Massachusetts
Capitol	Massachusetts
Northeastern Connecticut	Massachusetts and Rhode Island
Southeastern Connecticut	Rhode Island
Windham	Not applicable
Midstate	Not Applicable
Connecticut River Estuary	Not Applicable
South Central Connecticut	Not Applicable
Valley	Not Applicable
Greater Bridgeport	Not Applicable
Central Naugatuck Valley	Not Applicable
Central Connecticut	Not Applicable

Towns in these regions can form three types of regional planning organizations: regional councils of elected officials (RCEOs), RPAs, and regional councils of government (RCOGs). The statutes specify the process for establishing these organizations, their powers and duties, and their governing structures. A region may have an RPA and an RCEO, but it can have neither if it chooses the RCOG, which exercises the powers and duties of the other two types.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/14/2007)